




STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
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CAROLANN WICKS, P.E.  
SECRETARY

**MEMORANDUM**

**TO:** Kathy English, Director, Finance  
**FROM:** Ralph A. Reeb, Director, Planning   
**DATE:** October 30, 2006  
**SUBJECT:** Fiscal Year 2007–2009 State Transportation Improvement Plan, (STIP), Air Quality Conformity

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As required by the Federal Clean Air Act Amendments of 1990 and by SAFETEA-LU, we have analyzed the referenced STIP and found it to be in conformance with the State of Delaware Clean Air Implementation Plan. Transportation projects which are subject to these two federal laws fit into one of the following categories:

- Exempt: safety, transit, system preservation, system management, or other projects listed in Table 2 of the Federal Conformity Rule, that do not require conformity determinations as part of the implementation process: and,
- Non-Exempt: projects not listed in Table 2 of the Federal Conformity Rule, such as projects adding significant roadway capacity.

The STIP was reviewed to identify projects that would be classified as “non-exempt” under the 1990 Clean Air Act Amendments for which right-of-way, design, and/or construction funds were programmed for Fiscal Years 2007 – 2007 (the years covered by the STIP). Such projects require a quantitative analysis to ensure conformity with state air quality plans if they are regionally significant. In addition to the projects contained in the STIP, the 143<sup>rd</sup> General Assembly, via House Bill 535, authorized the Department of Transportation to begin work on several projects that cannot be included in the STIP until further air quality analysis is completed. Those projects are:

